



December 5, 2003

Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Re	Billed Entity Number	135211
	471 Application Number	328077
	Funding Request Number	882455
	CC Docket Number	02-6

I have appealed a decision of the Universal Service Administrative Commission (USAC) and have been denied. However, the USAC has indicated that an appeal may be submitted to the FCC.

In July 2002, it was realized that School District 59's technology plan had expired and steps had not been taken to create a new plan. Calls to the Schools and Libraries Division (SLD) customer service regarding the lack of a plan resulted in being provided information that a 486 could not be filed until such a plan existed. In April 2003 we received approval of our plan and the 486 was immediately filed. We subsequently received notice that as the 486 was filed late, funding was available only as of December 30, 2002. I am now appealing this decision to you for the following reasons:

- SLD stated that the 486 should not be filed until the technology plan was in effect. Thus, I followed the instructions provided by the SLD.
- It is the responsibility of the applicant to file on schedule and I believe this is what was done. When the SLD provides information and the applicant acts accordingly, the applicant should not be penalized for following information provided by the SLD even if the information is wrong.
- District 59 has participated in the e-Rate program since Year 1 and has always met deadlines. This is due to District 59's following printed instruction and relying on clarifications by SLD's customer service. Thus, we have demonstrated our intent to "play" by the rules.

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- In my appeal to USAC, I did not request additional funds. I did state that the request was based on an average monthly cost for one year. As school is not in session during the months of July and August, costs are subsequently lower during these months. If these two months are not to be considered, I am requesting that our monthly costs be adjusted to ten months, thus providing a reimbursement of 60% (January – June)

It is hoped that you will find that there was no intent on District 59 part to evade the regulations of the FCC and SLD. Your consideration of this matter is greatly appreciated. Please address your response to

Joyce McNealy  
Coordinator of Purchasing/Auxiliary Services  
2123 S Arlington Heights Road  
Arlington Heights, Illinois 60005-4105

Sincerely,

A handwritten signature in black ink, appearing to read "Joyce McNealy", written in a cursive style.

Joyce McNealy  
Coordinator of Purchasing/Auxiliary Services